

MINUTES OF THE SELMA CITY COUNCIL
JANUARY 8, 2007
5:00 P.M.

Call to Order

Invocation: Reverend Michael Gandy
Pastor, Elkdale Baptist Church

Pledge of Allegiance

Roll Call

The Selma City Council met in a regular session in the Council Chambers of City Hall on Monday, January 8, 2007 at 5:00 p.m. with the following members present during roll call: Council President George Evans and Council members Cecil Williamson, Jean T. Martin, Samuel Randolph, Johnnie M. Leashore, Bennie R. Crenshaw and Jannie M. Venter. Others present were Mayor James Perkins, Jr., City Clerk Lois Williams, Assistant City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, City Treasurer Cynthia Mitchell, and the Mayor's Executive Assistant Darlene Rudolph. President Evans stated Council members Cain and Allen are absent during roll call due to an accident on the highway, but assured him they would be arriving shortly. Councilman Cain arrived at 5:27 p.m. Councilwoman Allen arrived during executive session.

APPROVAL OF AGENDA:

After review and discussion of the agenda items, the following amendments were made:

Additions: Attorney Nunn requested an executive session prior to the Mayor's report.

Deletions: Business items:

VI Pension Plan for the Mayor

IX Change Council Secretary Job Title and Salary Increase.

A motion was made by Councilwoman Crenshaw and seconded by Councilman Leashore to delete this item for further discussion. The motion passed with a majority vote (show of hands) of the Council members present. There were four aye votes and three nay votes. President Evans and Council members Williamson and Randolph cast nay votes.

XIV Library Appropriation of October 10, 2006

A motion was then made by Councilman Leashore and seconded by Councilwoman Crenshaw to approve the agenda as amended. The motion passed with a majority vote (show of hands) of the Council members present. There were six aye votes and two nay votes. Council members Williamson and Randolph cast a nay vote.

APPROVAL OF MINUTES:

After approval of the agenda, President Evans asked for a motion to approve the minutes of the November 13, 2006 regular meeting. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the minutes as written. The motion passed with a unanimous vote (show of hands) of the Council members present.

After approval of the agenda, President Evans asked for a motion to approve the minutes of the November 27, 2006 regular meeting. A motion was made by Councilman Leashore and seconded by Councilwoman Martin to approve the minutes as written. The motion passed with a unanimous vote (show of hands) of the Council members present.

CITIZENS' REQUESTS

Mr. Steven Jackson
Re: Clean-up Day

Ms. Clarassa Cole
Re: Selma Police Department

EXECUTIVE SESSION

A motion was made by Councilman Randolph and seconded by Councilman Leashore to recess into executive session at 5:35 p.m. The motion passed with a majority vote (show of hands) of the Council members present.

Following executive session, a motion was made by Councilman Leashore and seconded by Councilwoman Martin to reconvene the regular meeting at 5:56 p.m. A motion was made by Councilwoman Martin and seconded by Councilman Leashore to authorize Attorney Nunn and the Attorneys to proceed with mediation in Case #CV2002-0321. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

MAYOR'S REPORT

A. **Selma Police Department Personnel Issue.** Mayor Perkins stated as a matter of record he would like to say that the Council does not have personnel authority in regards to the previous citizen's request item by Clarissa Cole.

B. **NLC Certificates of Achievement.** Mayor Perkins stated he would just like to acknowledge that Councilwoman Venter completed the required training courses at the NLC conference and has been awarded the Bronze certificate. Councilwoman Venter proudly accepts the acknowledgement.

C. **Resolution #R126-06/07 - Capital Improvement on Skate Park.** Mayor Perkins stated this Resolution represents the construction of a concrete slab for the City of Selma's Skate Park, to be allocated from the Major Project Fund in the amount of \$17,500.00. Mayor Perkins asked Council favorable consideration and approval of said resolution. A motion was made by Councilman Leashore, seconded by Councilwoman Crenshaw, to approve said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council.

D. **Resolution #R122-06/07 - Ten Year Solid Waste Management Plan.** Mayor Perkins stated the City of Selma has revised its ten (10) year Solid Waste Management Plan originally developed in 2004. During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Leashore, to approve the said resolution. Following further discussion, on motion made by Councilman Williamson and seconded by Councilman Cain, this item was tabled until the next Council meeting so that the Council would have more time to review. Mayor Perkins asked if the Council plan on having Work Sessions? President Evans responded by stating he did not plan on having a Work Session unless it was necessary to have one. President Evans further stated the last Work Session that was held, it was somewhat like the one they are having now, so he does not intend to have a Work Session to get "beat up" on unless they are going to have an orderly meeting for the purpose of addressing matters and done in a way of professionalism and respect. President Evans also stated he does not plan to have a call meeting for the purpose of "dogging" someone out. Mayor Perkins stated he was going to "rest" this evening, because the Council does not have Work Sessions, will not come to public hearings, and they expect everything to be done here, so there is no need in going through the rest of this.

CITY ATTORNEY'S REPORT

A. **Resolution - #123-06/07 - Surplus Property - Public Works.** Attorney Nunn stated this Resolution represents items of property owned by the City of Selma that are no needed for public or municipal purposes. Attorney Nunn further stated this resolution authorizes the Mayor and City Clerk to dispose of the property. Attorney Nunn asked Council favorable consideration and approval of said resolution. A motion was made by Councilman Cain and seconded by Councilman Randolph to approve said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

B. **Resolution - #R124-06/07 - Surplus Property - Fire Department MAKO Air Bottle Fill Station.** Attorney Nunn stated this Resolution represents personal property owned by the City of Selma that is no longer needed for public or municipal purposes, and the Selma Fire Department would like to donate it to the Dallas County Volunteer Firefighters Association. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

CITY ATTORNEY'S REPORT

C. **Resolution - #R125-06/07 - Surplus Property - Selma Police Department Old Light Bars.** Attorney Nunn stated this Resolution represents personal property owned by the City of Selma that is no longer needed for public or municipal purposes, and the Selma Police Department would like to donate it to the Uniontown Police Department and the White Hall Police Department. Attorney Nunn asked Council favorable consideration and approval of said resolution. A motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw, to approve said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council.

D. **Resolution #R127-06/07 - Baseball Equipment - Recreation Department.** Attorney Nunn stated a resolution is being presented to the Council concerning the bid proposal on Baseball Equipment. McClendon Athletic Center was the lowest responsible bidder for Item #s 1, 8, 16, 19, 22 and 23, Olympia Sporting Goods was the lowest responsible bidder for Item #s 2, 3, 4, 5, 7, 10, 11, 13, 14, 20, 21 and 24, and Taylor Sports was the lowest responsible bidder for Item #s 6, 9, 12, 15, 17, and 18, totaling \$36,847.20. A motion was made by Councilman Leashore, seconded by Councilwoman Crenshaw, to approve said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

E. **Resolution #R128-06/07 - Baseball Uniforms - Recreation Department.** Attorney Nunn stated a resolution is being presented to the Council concerning the bid proposal on Baseball Uniforms. Olympia Sporting Goods was the lowest responsible bidder for Item #4, Screenco was the lowest responsible bidder for Item #s 1 and 2, and Taylor Sports was the lowest responsible bidder for Item #s 3 and 5, totaling \$14,286.30. Council favorable consideration and approval of said resolution. A motion was made by Councilwoman Martin, seconded by Councilman Randolph, to approve said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

F. **Resolution #R129-06/07 - Softball Equipment - Recreation Department.** Attorney Nunn stated a resolution is being presented to the Council concerning the bid proposal on Softball Equipment. McClendon Athletic Center was the lowest responsible bidder for Item #1, Olympia Sporting Goods was the lowest responsible bidder for Item #s 7, 9, 10, 11, 12, and 13, and Taylor Sports was the lowest responsible bidder for Item #s 2, 3, 4, 5, 6 and 8, totaling \$11,790.00. A motion was made by Councilman Leashore, seconded by Councilwoman Crenshaw, to approve said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

G. **Resolution #R130-06/07 - Softball Uniforms - Recreation Department.** Attorney Nunn stated a resolution is being presented to the Council concerning the bid proposal on Softball Uniforms. Screenco was the lowest responsible bidder in the amount of \$5,760.00. A motion was made by Councilman Leashore, seconded by Councilwoman Crenshaw, to approve said resolution. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

H. **Resolution #R135-06/07 - Digital Copier - Planning & Development Office.** Attorney Nunn stated a resolution is being presented to the Council concerning the bid proposal on a copier for the Planning and Development Office. Ray Davis and Company was the lowest responsible bidder in the amount of \$285.50, for 36 months Fair Market Value. A motion was made by Councilwoman Martin, seconded by Councilman Randolph, to approve said resolution. A roll call vote was taken and the motion passed with a majority vote of the Council. Councilman Cain cast a nay vote.

I. **Ordinance #O111-06/07 - Certain Changes in the Present Zoning Map - Public Hearing Request.** Attorney Nunn asked Council to place Ordinance #O111-06/07 on First Reading. Attorney Nunn stated the public hearing would be January 22nd during Council Meeting at 5:00 p.m. A motion was made by Councilman Cain, seconded by Councilwoman Martin, to place said Ordinance on First Reading until the next Council meeting. The motion passed with a unanimous vote (show of hands) of the Council members present.

J. **Procedures for Termination of a Department Head and Abolishing a Department.** Attorney Nunn stated he had been requested by the Council to put a procedure in place as it relates to termination of a department head, and abolishing a department. Attorney Nunn further stated he had found a couple of errors in what he had planned to present to Council at tonight's meeting, and once the revisions are made, he would be prepared to present to Council at the next Council meeting.

CITY ATTORNEY'S REPORT

K. **Ordinance #O112-06/07 - Franchise Agreement Alagasco.** Attorney Nunn stated an Ordinance Granting a Franchise to Alabama Gas Corporation is being presented to the Council. Attorney Nunn further stated the franchise gives Alabama Gas Corporation the right to operate within the City, and the present franchise expires at the end of the month. Attorney Nunn asked Council's position in terms of suspending the rules to vote at tonight's Council meeting, or to place on First Reading to vote at the next Council's meeting. A motion was made by Councilwoman Martin, seconded by Councilman Randolph, to suspend the rules and vote to approve or not approve a Franchise to Alabama Gas Corporation. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.** A motion was then made by Councilman Leashore, seconded by Councilwoman Martin, to approve Ordinance #O112-06/07, granting a Franchise to Alabama Gas Corporation. **A roll call vote was taken and the motion passed with a unanimous vote of the Council.**

L. **Liquor License Applications.** Attorney Nunn stated the following liquor license applications are asked to be approved to be placed on 1st Reading by the Council:

(1) **Fire Side Inn, 700 Idaho Street - Mr. Christopher Davis.**

A motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said liquor license on 1st Reading. **The motion passed with a unanimous vote (show of hands) of the Council.**

(2) **Mickey Rats, 1215 Alabama Avenue - Mr. Fred Chaney.**

A motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said liquor license application on 1st Reading. **The motion passed with a unanimous (show of hands) of the Council.**

(3) **Blues 24/7, 102 Washington Street - Mr. James Brown.**

A motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said liquor license on 1st Reading. **The motion passed with a majority vote (show of hands) of the Council. There were eight aye votes and one nay vote. Councilman Cain cast a nay vote.**

(4) **A-Z Food Mart, 2301 Broad Street - Mr. Elia Sidhom.**

A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to place the said liquor license on 1st Reading. **The motion passed with a majority vote (show of hands) of the Council. There were seven aye votes and two nay votes. Council members Cain and Allen cast a nay vote.**

(5) **Warren's, 213 Broad Street - Mrs. Wanda Bush.**

A motion was made by Councilman Leashore and seconded by Councilman Randolph to place the said liquor license on 1st Reading. **A roll call vote was taken and the motion failed for lack of a majority vote of the Council. There were two aye votes and seven nay votes. President Evans and Council members Williamson, Cain, Martin, Allen, Crenshaw and Venter all cast nay votes. Councilman Cain stated his nay vote is due to the City Ordinance, the church opposition and the condition of continuing to establish as a restaurant without serving alcohol.**

M. **Ordinance Revision - Alcoholic Beverage License.** Attorney Nunn stated he would like the Council to formulate a committee to review and revise the Ordinance, to bring some clarity to it.

N. **Water Board Meeting.** Attorney Nunn stated Attorney Collins Pettaway, Jr. will come before the City Council at the next meeting on January 22nd, to discuss some Water Board issues.

BUSINESS ITEMS:

I. **NATIONAL LEAGUE OF CITIES REPORT**

Brief discussions were made by President Evans, Councilman Leashore, Councilwoman Crenshaw, Councilwoman Venter, and Councilman Randolph, reporting on their trip with the NLC Annual Conference.

BUSINESS ITEMS:

II. COUNCIL AGENDA ITEMS/MEDIA RELEASE

President Evans stated this item is for the purpose of clarification. A brief discussion followed by President Evans. A motion was made by Councilman Leashore and seconded by Councilwoman Crenshaw to give President Evans the authority to determine what goes on the agenda in regards to personnel items. The motion passed with a majority vote (show of hands) of the Council. There were seven aye votes and two nay votes. Council members Williamson and Cain cast a nay vote.

III. CITY SCHOOL BOARD. Councilman Williamson stated due to the fact that the school board has voted to pay themselves salaries of \$600.00 per month to serve on the School board, he would like to make a motion at the next Council meeting to go to an elected school board. During discussion, Attorney Nunn stated he believes this issue is being retracted by the School Board, but will bring an update to the Council at the next meeting.

IV. PAY FOR SUSIE JONES

Councilman Williamson asked if department heads are authorized to hire someone to work for the City and what is the procedure for this process. President Evans asked Ms. Val Jones to research the procedures and guidelines as it relates to this, and report her findings back to the Council.

V. COUNCIL WORK SESSION UPDATE (DECEMBER 18, 2006)

President Evans explained that the last meeting was held as a work session because there was not a quorum. President Evans stated it may be a good idea to have a work session at least once a quarter.

VI. LIVE STOCK IN THE CITY

Attorney Nunn stated this is still being revised and need a few more adjustments and should have for the Council by the next Council meeting.

VII. LOUD NOISE

Councilwoman Venter and Councilman Williamson briefly discussed this item.

VIII. SALARIES FOR CITY JUDGES

Councilman Williamson stated he would like to know the salaries of the city judges. Attorney Nunn stated the current salaries are \$25,500.00 for the presiding judge and \$15,000.00 for the associate judge. President Evans asked if Ms. Johnson would find the minutes with this information for clarity.

IX. RECEIPTS FOR CEMETERY LOTS PURCHASED

No discussion at this time.

X. ASSASSINATION PLOT OF POLICE CHIEF JIMMY MARTIN STATUS UPDATE

Attorney Nunn stated this is a criminal case at the DA's office and he will get an update for the Council.

XI. GHANTT EEOC COMPLAINT STATUS UPDATE

Attorney Nunn stated this is still pending and he is awaiting a response at this time.

XII. LIBRARY FUNDING - NEXT CITY PAYMENT

President Evans stated the Council needs to approve the payment of utilities for the Library. A motion was made by Councilwoman Martin and seconded by Councilwoman Crenshaw to pay December bills in January from unappropriated funds. A roll call vote was taken and the motion passed with a unanimous vote of the Council.

BUSINESS ITEMS:

XIII. SALES TAX FROM THE CITY OF CAMP HILL

Attorney Nunn stated a report will be given during the next Council meeting.

XIV. DIVERSITY SEMINAR DATES

President Evans stated the Council needs to assign dates for the diversity seminar. President Evans asked the Council if they would like to attend. The Council concurred. Councilwoman Crenshaw stated that she would participate only if ground rules were part of the process. From the audience, Mr. Bumbrey stated if he was going to be told how to run his workshop, he would withdraw his offer. President Evans stated by the next meeting, the Council will decide which Saturday in February will be scheduled for this meeting.

XV. GOOD SAMARITAN

Councilman Cain stated there are some leases that will not be a part of the Good Samaritan anymore and he wants to know what is being done about this matter. During discussion, President Evans stated this information will be requested from the Mayor for the next meeting.

XVI. MICROBOARDS COPYWRITER LIVE CD WRITER UPDATE

President Evans stated he has had the opportunity to experience the use of this equipment, and did experience the same process as did the Clerk's office. President Evans further stated he concurs that once the equipment stops, it goes all the way back to the beginning; therefore, you are unable to pinpoint the exact location of where previous transcription has stopped. President Evans also stated he had met with Mayor Perkins and Ms. Lois Williams in reference to this but due to an emergency call for Mayor Perkins, they were unable to complete meeting at that time. President Evans stated they decided to resume meeting at a later date to try and resolve this matter.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Leashore, Chairperson

Minutes of the meeting were distributed by Councilman Leashore. They are attached.

ADMINISTRATIVE COMMITTEE - Councilman Dr. Cecil Williamson, Chairperson

Councilman Williamson stated he would get with Councilman Leashore and Councilwoman Venter to interview the 5 Candidates for Judges. Councilman Leashore stated the Resumes were submitted in the time frame specified. Attorney Nunn was asked to research if the judge should live in Dallas County.

PUBLIC SAFETY COMMITTEE - Councilwoman Dr. Geraldine Allen, Chairperson

Minutes of the meeting were distributed by Councilwoman Allen. They are attached. A motion was made by Councilman Cain and seconded by Councilwoman Martin to approve the recommendation to the Council to allow the evaluation of the police department by the consulting firm. The motion passed with a unanimous vote (show of hands) of the Council.

COMMUNITY DEVELOPMENT COMMITTEE - Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Martin read resolutions to the Council to be voted on at the next Council meeting.

PUBLIC WORKS COMMITTEE - Councilwoman Venter, Chairperson

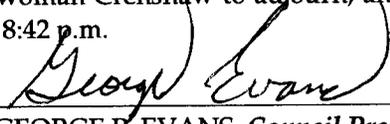
There is no report for the Public Works Committee.

DISCRETIONARY FUNDS COMMITTEE - President Evans, Chairperson

There is no report for the Discretionary Funds Committee.

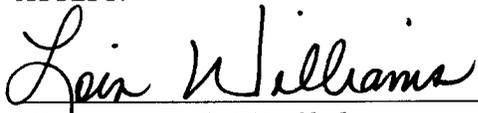
ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilman Leashore, and seconded by Councilwoman Crenshaw to adjourn, and by unanimous consent of the Council, this meeting adjourned at 8:42 p.m.



GEORGE P. EVANS, *Council President*

ATTEST:



LOIS WILLIAMS, *City Clerk*

APPROVED:



JAMES PERKINS, JR., *Mayor*